

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED  
**APR 27 2009**  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**UNITED STATES OF AMERICA,** ) **Criminal No. 7:07CR00079**  
 )  
**v.** ) **ORDER**  
 )  
**JODY ALTON SMITH, SR.,** ) **By: Hon. James C. Turk**  
**MARGARET SMITH.** ) **Senior United States District Judge**

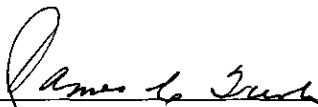
In accordance with the accompanying Memorandum Opinion entered this day, it is hereby

**ADJUDGED AND ORDERED**

that Defendants' post-trial motions will be **GRANTED** in part and **DENIED** in part. The Court **GRANTS** Margaret Smith's motion for judgment of acquittal (Dkt. No. 229) as to Counts 13, 16, 19, and 22-28; conditionally **GRANTS** Margaret Smith's motion for a new trial (Dkt. No. 228) as to Counts 13, 16, 19, and 22-28; and **DENIES** Margaret Smith's motions in all other respects. The Court **GRANTS** Jody Smith's motion for judgment of acquittal (Dkt. No. 234) as to Counts 13-28; conditionally **GRANTS** Jody Smith's motion for a new trial (Dkt. No. 234) as to Counts 13-28; and **DENIES** Jody Smith's motions in all other respects.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

**ENTER:** This 27<sup>th</sup> day of April, 2009

  
Senior United States District Judge